

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JILLIAN L. PIERCE,
Plaintiff,

v.

COUNTY OF MARIN, *et al.*,
Defendants.

Case No. [17-cv-03409-SI](#)

**ORDER GRANTING DEFENDANT
STATE OF CALIFORNIA'S
UNOPPOSED MOTION TO DISMISS**

Re: Dkt. No. 20

On June 13, 2017, plaintiff filed this lawsuit *in pro per* against numerous defendants, including the State of California. The complaint alleges that plaintiff has been arrested and detained on three occasions because her name and identity were “wrongfully and incorrectly associated” with an individual with the same name who had an outstanding drug-related warrant. Compl. ¶ 1 (Dkt. No. 1).

On August 21, 2017, counsel filed a notice of appearance on behalf of plaintiff. Dkt. No. 19. On August 24, 2017, defendant State of California moved to dismiss the complaint as barred by the Eleventh Amendment to the U.S. Constitution. Plaintiff, through counsel, has filed a statement of non-opposition to that motion. Plaintiff concedes that the State is not subject to suit, and states that she intends to file an amended complaint naming individual California Highway Patrol officers as defendants. Accordingly, the Court GRANTS defendant State of California’s motion to dismiss the claims alleged against the State. Plaintiff shall file an amended complaint by **September 22, 2017**.

IT IS SO ORDERED.

Dated: September 11, 2017



SUSAN ILLSTON
United States District Judge